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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/017,309 | 12/14/2001 | Dieter Ansel | 4283 | 7230 |
| 21553 | 7590 | 12/06/2004 | EXAMINER | |
| FASSE PATENT ATTORNEYS, P.A. P.O. BOX 726 HAMPDEN, ME 04444-0726 | | | TAYLOR, BARRY W | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2643 | |

DATE MAILED: 12/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|-----------------|---------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/017,309 | ANSEL, DIETER |
| | Examiner | Art Unit |
| | Barry W Taylor | 2643 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-10 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-10 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 14 December 2001 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>4/28/03</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Groger (6,825,774) in view of Weiss et al (6,522,240 hereinafter Weiss).

Regarding claim 1. Groger teaches a contactless data transmission system (see figure 1) with

an encoding algorithm with which (item 27 figure 1, col. 2 lines 50-64)

the input data (items 28 figure 1), which are processed with the encoding algorithm (see col. 2 lines 10-64 wherein the input data are encrypted),

wherein the data transmission system has a facility (see one or more operating elements 28 figure 1, see button pressed---col. 3 lines 37-60) for setting to different formats of the input data for the encoding algorithm.

Groger does not explicitly show secret code used.

Weiss also teaches a non-contact transmission system (see figure 1). Weiss also uses memory with **cryptographic key code** (items 31 figure 1, col. 2 lines 6-67) located in base station (10 figure 1) and at remote control element (20/20H figure 1) for coding signals that pass between base station and remote control element. Weiss further shows using an auxiliary key code (see item 32 figure 1), serial number (16

figure 1), manufacture code (17 figure 1) located at base station (item 10 figure 1) and auxiliary key code (see item 32 figure 1), serial number (26 figure 1), manufacturers code (27 figure 1), etc., located at remote control element (20/20H figure 1) for further coding and restriction access (col. 2 lines 6-67, col. 3 line 1 – 57).

Therefore, it would have been obvious for any one of ordinary skill in the art at the time of invention to modify the code generator (i.e. item 27 figure 1) as taught by Groger to incorporate the cryptographic key code as taught by Weiss for the benefit of providing a more flexible system in that it allows the user to remotely configure remote units to be assigned to a particular base station thereby allowing more than one remote unit to communicate with a base station by simply using a cryptographic key code that is unique to the remote units and the base station.

Regarding claim 2. Groger further shows using control line (see control line connecting item 25 and 27 in figure 1).

Regarding claim 3. Groger further shows using switches (item 28 figure 1) to select different types of formats (col. 3 lines 50-60).

Regarding claims 4-6. Weiss further shows the same encoding algorithm (see item 31 located in base station 10 figure 1 which is the same as item 31 located at the remote control element item 20/20H figure 1).

Regarding claims 7-10. Weiss teaches that the encoding algorithm (item 31 located at both the remote and base station) uses the same cryptographic key code (col. 2 lines 10-13 and lines 46-50).

Conclusion

2. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872 9314,

(for informal or draft communications, please label "PROPOSED" or
"DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121
Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry W. Taylor, telephone number (703) 305-4811, who is available Monday-Friday, 6:30am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached at (703) 305-4708. The facsimile phone number for this group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group 2600 receptionist whose telephone number is (703) 305-4750, the 2600 Customer Service telephone number is (703) 306-0377.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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